

House File 314 - Introduced

HOUSE FILE 314

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO HSB 10)

A BILL FOR

1 An Act relating to the definition of utility maintenance
2 vehicle.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.1, Code 2017, is amended by adding
2 the following new subsections:

3 NEW SUBSECTION. 89A. "*Utility maintenance vehicle*" means
4 a motor vehicle operated by an employee or contractor of an
5 entity, including but not limited to the state, a political
6 subdivision of the state, or any commission, department, or
7 agency thereof, an electric cooperative association, or a
8 public or private corporation, in connection with the provision
9 of utility services.

10 NEW SUBSECTION. 89B. "*Utility services*" means cable,
11 electric, natural gas, solid waste and recycling collection,
12 telephone, telecommunication, water, and wastewater treatment
13 services and includes but is not limited to the improvement,
14 installation, maintenance, relocation, or repair of cables,
15 fibers, pipes, utility poles, utility structures, wires, and
16 associated right-of-way and other infrastructure associated
17 with such services.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 Under Code section 321.323A, the driver of a motor vehicle
22 approaching a stationary utility maintenance vehicle displaying
23 flashing lights must approach the utility maintenance vehicle
24 with due caution and make a lane change into a lane not
25 adjacent to the utility maintenance vehicle, or if a lane
26 change is impossible, prohibited by law, or unsafe, the driver
27 must reduce the speed of the motor vehicle to a reasonable and
28 proper speed for the existing road and traffic conditions and
29 be prepared to stop. Under Code section 321.423, a utility
30 maintenance vehicle is permitted to display flashing amber
31 lights. "*Utility maintenance vehicle*" is not defined in the
32 Code.

33 This bill provides that "*utility maintenance vehicle*" means
34 a motor vehicle operated by an employee or contractor of an
35 entity, including but not limited to the state, a political

1 subdivision of the state, or any commission, department, or
2 agency thereof, an electric cooperative association, or a
3 public or private corporation, in connection with the provision
4 of utility services. The bill defines "utility services" to
5 mean cable, electric, natural gas, solid waste and recycling
6 collection, telephone, telecommunication, water, and wastewater
7 treatment services and includes but is not limited to the
8 improvement, installation, maintenance, relocation, or repair
9 of cables, fibers, pipes, utility poles, utility structures,
10 wires, and associated right-of-way and other infrastructure
11 associated with such services.